IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

RP. No. 15 of 2002(F)

AGAINST THE JUDGEMENT/ORDER IN OP.32820/2001
Dated 16/11/2001
.....

REVIEW PETITIONERS/ RESPONDENTS 1 TO 3 IN THE OP:
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1. **THE DIST.COLLECTOR, KANNUR.**
2. **THE TAHSILDAR, REVENUE RECOVERY, THALASSERY.**
3. **SALES TAX OFFICER, SECOND CIRCLE, THALASSERY.**

BY GOVERNMENT PLEADER SMT. K.R. DEEPA.

RESPONDENT/PETITIONER:

V. NAJEEB, M/S. SARICA, BUS STAND, THALASSERY.

BY ADV. SRI. P.M. PAREETH

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 23/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH, J.

Review Petition NO. 15 OF 2002
IN
O.P. NO. 32820 OF 2001

Dated this the 23rd day of August, 2007.

O R D E R

This review petition is at the instance of the respondents in original petition No. 32820/2001. This Court directed the assessing authority to trace out the file and issue assessment order to the petitioner in the writ petition.

2. In the review petition it is brought to the notice of this Court that the writ petitioner had already been issued assessment orders and he had in fact pursued the matter in appeal. Thus there is a factual error in the judgment though not attributable to the Court, since there was no counter affidavit. Therefore, the judgment dated 16.11.2001 is recalled.

The review petition is allowed.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

R.P. NO. 15 OF 2002

O R D E R

23.08.2007